

BILL NO. Z-69-12-05

ZONING MAP ORDINANCE NO. Z- 107-70

AN ORDINANCE amending the City of Fort Wayne,  
Zoning Map No. JJ-1.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,  
INDIANA:


SECTION 1. That the area described as follows is hereby designated a B-1-B District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836; and the symbols on the City of Fort Wayne Zoning Map No. JJ-1 referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

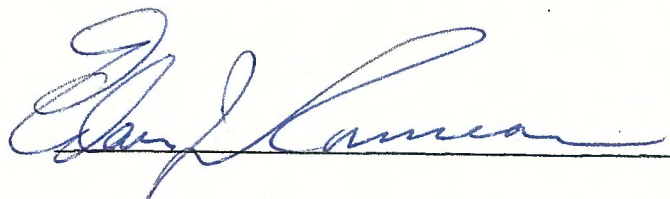
A part of the fractional Northwest  $\frac{1}{4}$  of Section 7, T-30-N, R-12-E in Allen County, Indiana described as follows:

Beginning at the North  $\frac{1}{4}$  Corner of said Section 7, running thence S.  $89^{\circ}-56'-27''$  W. 325.00 feet; thence S.  $00^{\circ}-03'-33''$  E. 275.00 feet; thence S.  $00^{\circ}-21'-33''$  ~~xxxx~~ E. along the West line of Walnut Hills Terrace Addition 549.00 feet to the true point of beginning of this description; thence continuing S.  $00^{\circ}-21'-33''$  E. 400.00 feet; thence S.  $8^{\circ}-56'-28''$  W. 327.00 feet; thence N.  $00^{\circ}-03'-32''$  W. 400.00 feet; thence N.  $89^{\circ}-56'-28''$  E. 327.00 feet to the true point of beginning; containing 3.00 acres.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and legal publication thereof.

APPROVED AS TO FORM  
AND LEGALITY,

  
CITY ATTORNEY



Read the first time in full and on motion by Rousseau seconded by Steigerwald and duly adopted, read the second time by title and referred to the (Committee on) Regulations (and to the City Plan Commission for recommendation) (~~and Public Hearing to be held after due legal notice,~~ at the Council Chambers, City Hall, Fort Wayne, Indiana, on the \_\_\_\_\_ day of \_\_\_\_\_ 196 \_\_\_\_\_, at \_\_\_\_\_ o'clock ~~P.M., E.S.T.~~

Date: 12-9-69

Lucretia J. Bonahoom  
City Clerk

Read the third time in full and on motion by Dunifon seconded by Rousseau and duly adopted, placed on its passage.  
Passed (~~LOST~~) by the following vote:

AYES	<u>9</u>	NAYS	<u>0</u>	ABSTAINED	<u>      </u>	ABSENT	<u>      </u>	to-wit:
Adams	<u>✓</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>	
Dunifon	<u>✓</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>	
Fay	<u>✓</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>	
Geake	<u>✓</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>	
Nuckols	<u>✓</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>	
Robinson	<u>✓</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>	
Rousseau	<u>✓</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>	
Steigerwald	<u>✓</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>	
Tipton	<u>✓</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>	

Date 5-12-70

Lucretia J. Bonahoom  
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (Zoning Map) (~~General~~) (~~Annexation~~) (~~Special~~) (~~Appropriation~~) Ordinance (~~Resolution~~) No. 2-107-70 on the 12<sup>th</sup> day of May, 196 70.

ATTEST: (SEAL)

Lucretia J. Bonahoom  
City Clerk

Harold A. Zeis  
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13<sup>th</sup> day of May, 196 70 at the hour of 8:30 o'clock A.M., E.S.T.

Lucretia J. Bonahoom  
City Clerk

Approved and signed by me this 13<sup>th</sup> day of May, 1970, at the hour of 9:00 o'clock A.M., E.S.T.

Harold A. Zeis  
Mayor



RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on December 9, 1969, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-69-12-05; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

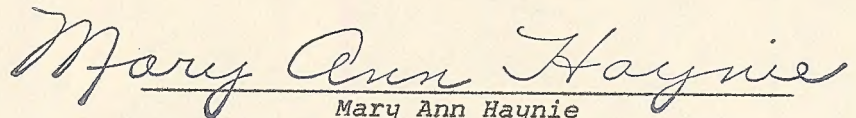
WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on January 19, 1970;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the city, and the amendment will not be detrimental to and does not conflict with the overall city plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held March 23, 1970.

Certified and signed this  
7th day of May 1970.

  
Mary Ann Haynie  
Secretary

Bill No. Z-69-12-05

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance  
amending the City of Fort Wayne Zoning Map No. JJ-1

have had said Ordinance under consideration and beg leave to report back to the Common  
Council that said Ordinance Do PASS.

JACK K. DUNIFON, Chairman

EDWIN J. ROUSSEAU, Vice-Chairman

THOMAS G. ADAMS

WILLIAM K. GEAKE

PHIL A. STEIGERWALD

*Jack K. Dunifon*  
*Edwin J. Rousseau*  
*Thomas G. Adams*  
*William K. Geake*  
*Phil A. Steigerwald*

CONCURRED IN

DATE 5-12-70 FUAD G. BONAHOOM, CITY CLERK



\$ 25.00

Nov. 21, 1919 No.         

RECEIVED OF

A. J. Graham Real Estate  
Re: City Bldg. Co.

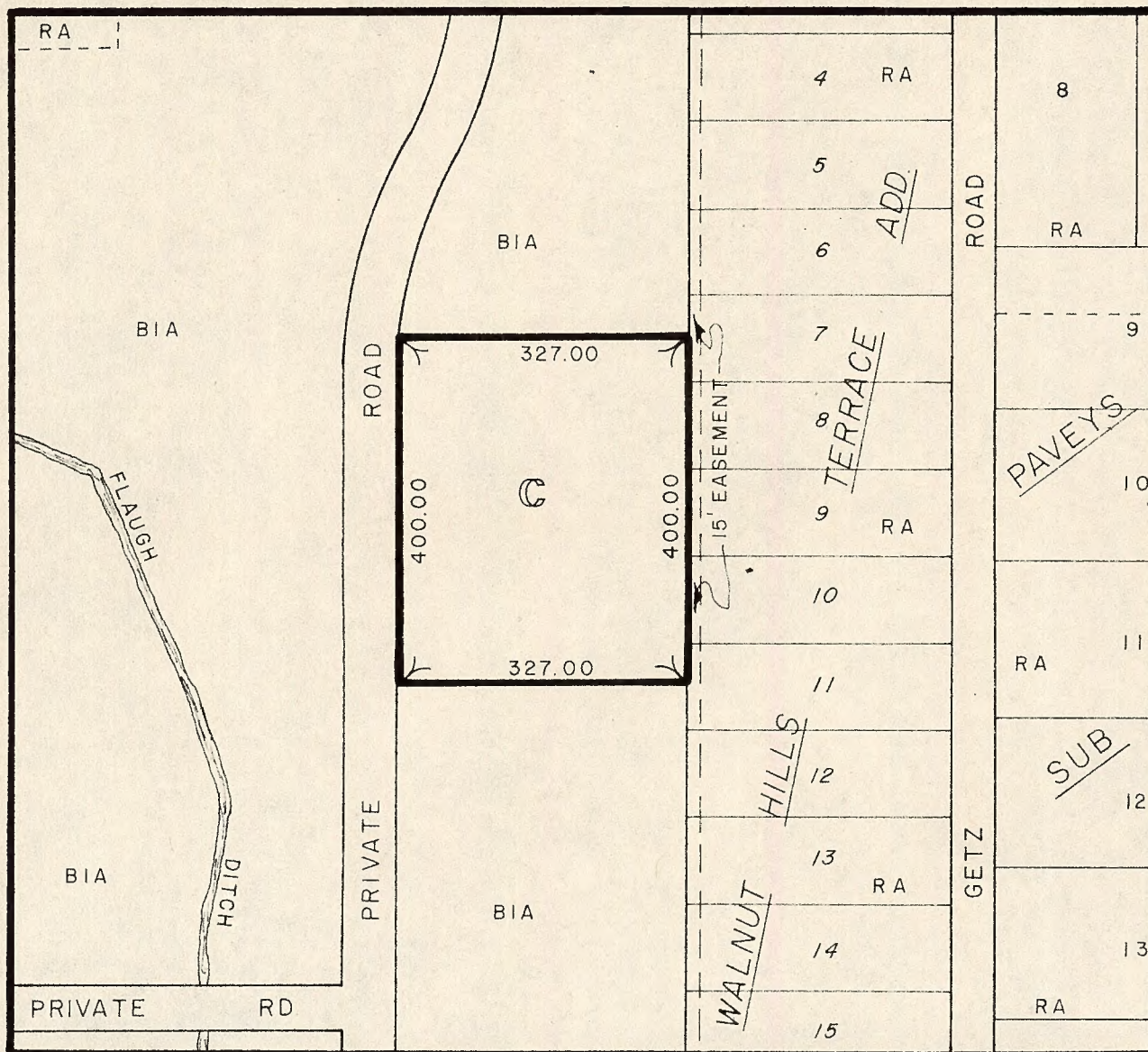
Twenty-five and no/100 DOLLARS

Part of money - a part of the front. NW 1/4 of Sec. 7, T. 20 N.  
Re: W.E. Allen Co.

By

K. E. Estman





C CHANGE FROM BIA TO BIB

2-67-12-05

N



## DECLARATION OF COVENANTS

The undersigned owner of the following described real estate in Allen County in the State of Indiana:

A part of the Northwest quarter of Section 7, Township 30 North, Range 12 East in Allen County, Indiana, described as follows:

Beginning at the North quarter corner of said Section 7, running thence South 89 degrees 56 minutes 27 seconds west along the north line of section 7 325.00 feet; thence South 00 degrees 08 minutes 33 seconds East 275.00 feet; thence South south 00 degrees 21 minutes 33 seconds east 949.00 feet to the true point of beginning of this description; thence continuing south 00 degrees 21 minutes 33 seconds 1140.02 feet; thence south 89 degrees 59 minutes 31 seconds west 997.66 feet; thence south 01 degrees 08 minutes 06 seconds west 336.23 feet; thence North 88 degrees 25 minutes 23 seconds west 703.82 feet; thence North 00 degrees 03 minutes 56 seconds west 86.16 feet; thence South 88 degrees 03 minutes 10 seconds west 630.19 feet; thence North 18 degrees 39 minutes 00 seconds East 477.10 feet; thence North 89 degrees 56 minutes 27 seconds East 765.00 feet; thence North 66 degrees 10 minutes 20 seconds east 1122.16 feet; thence north 00 degrees 03 minutes 32 seconds west 350.00 feet; thence south 89 degrees 56 minutes 19 seconds west 130.94 feet; thence north 17 degrees 47 minutes 02 seconds west 117.18 feet; thence north 24 degrees 31 minutes 40 seconds west 294.38 feet; thence north 67 degrees 37 minutes 33 seconds west 175.26 feet; thence north 23 degrees 07 minutes 55 seconds west 116.43 feet; thence north 28 degrees 49 minutes 50 seconds west 89.15 feet; thence north 13 degrees 27 minutes 48 seconds East 97.28 feet; thence North 25 degrees 06 minutes 36 seconds east 147.78 feet; thence north 89 degrees 56 minutes 27 seconds east 187.59 feet; thence south 00 degrees 03 minutes 33 seconds east 324.00 feet; thence north 89 degrees 56 minutes 27 seconds east 325.00 feet; thence south 00 degrees 03 minutes 23 seconds east 400.00 feet; thence north 89 degrees 56 minutes 27 seconds east 324.74 feet more or less to the true point of beginning.

shall be impressed with the following restrictive covenants, which covenants shall govern the future use and development of said real estate:

1. That said real estate shall be used only for the following purposes:

- A. Professional and Commercial offices.
- B. Multiple family dwellings
- C. All uses permitted in R-3 zone.

2. Provided that it shall not be necessary to obtain permission from the Board of Zoning Appeals prior to the installation of any of the above permitted uses, except if proposed lot or density requirements conflict with the City of Fort Wayne Zoning Ordinance.



3. That these covenants shall be subject to the enforcement of the City of Fort Wayne, acting by and through its Building Commissioner or other properly designated official.

4. That any deed, contract or lease for the sale, disposition, development or use of the above described property shall impose the restrictive covenants set forth in Paragraph 1 above, it being the purpose and intent hereby and of the undersigned, that each and every restrictive covenant herein contained shall run with and be binding upon said property.

IN WITNESS WHEREOF, the undersigned have hereunto set their hands and seals this 23rd day of March, 1970.

INVERNESS INVESTORS, INC.

BY: Richard H. Mick  
Richard H. Mick, President

ATTEST:

Louise V. Mick  
Louise V. Mick, Secretary

STATE OF INDIANA, ALLEN COUNTY, SS:

Before me, the undersigned, a Notary Public in and for said County and State this 23rd day of March, 1970, personally appeared Richard H. Mick and Louise V. Mick, President and Secretary respectively of Inverness Investors, Inc., who, on behalf of said corporation acknowledged their execution of the foregoing Declaration of Covenants for the uses and purposes therein set forth.

Witness my hand and Notarial Seal.

Marcelle D. Bush  
Notary Public

My Commission Expires:

June 26, 1971

This Instrument was prepared by Donald F. Strutz, Attorney at Law,  
1219 Anthony Wayne Bank Bldg., Fort Wayne, Indiana



STATE OF INDIANA    )  
                          ) SS:  
COUNTY OF ALLEN    )

BEFORE THE COMMON COUNCIL  
OF THE CITY OF FORT WAYNE,  
ALLEN COUNTY, INDIANA

TO: The Common Council of the City of Fort Wayne, Allen County,  
Indiana:

The undersigned, being the owner of the following de-  
scribed property located in Allen County, State of Indiana, to wit:

A part of the fractional Northwest  $\frac{1}{4}$  of Section 7, T-30-N,  
R-12-E in Allen County, Indiana described as follows:

Beginning at the North  $\frac{1}{4}$  Corner of said Section 7, running  
thence S.  $89^{\circ}-56'-27''$  W. 325.00 feet; thence S.  $00^{\circ}-03'-33''$  E.  
275.00 feet; thence S.  $00^{\circ}-21'-33''$  E. along the West line of  
Walnut Hills Terrace Addition 549.00 feet to the true point of  
beginning of this description; thence continuing S.  $00^{\circ}-21'-33''$  E.  
400.00 feet; thence S.  $89^{\circ}-56'-28''$  W. 327.00 feet; thence N.  $00^{\circ}-$   
 $03'-32''$  W. 400.00 feet; thence N.  $89^{\circ}-56'-28''$  E. 327.00 feet to  
the true point of beginning; containing 3.00 acres.

which is now situated in an BIA District, respectfully petitions  
the Common Council of the City of Fort Wayne, Allen County, Indiana,  
to change the zoning of said tract from an ~~BIB~~ District to a ~~BIB~~  
*BIA* District.

Your Petitioner would further show the Council that the  
change of zone would be consistent with the character of the sur-  
rounding neighborhood and would be for the best interest and the  
general welfare of the immediate community.

WHEREFORE, your Petitioner respectfully requests this-  
Council to change the zoning of said tract to a BIB District.

Respectfully submitted,

*Inverness Investors, Inc.*  
*by A J Zach v. Pres.*



Common Council-City of Ft. Wayne  
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines	
Head number of lines	-
Body number of lines	84
Tail number of lines	1
Total number of lines in notice	85

COMPUTATION OF CHARGES

85 lines, columns wide equals equivalent lines at .288¢ cents per line	\$ 24.48
Additional charge for notices containing rule or tabular work (50 per cent of above amount)	
Charge for extra proofs of publication (50 cents for each proof in excess of two)	
TOTAL AMOUNT OF CLAIM	\$ 24.48

DATA FOR COMPUTING COST

Width of single column 11 ems	Size of type 5 1/2 point
Number of insertions 2	Size of quad upon which type is cast 5 1/2

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date June 8, 19 70

Title CLERK

Legal Notices  
Notice is hereby given that on the 12th day of May, 1970, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session, did pass the following Zoning Map Ordinance, to-wit:  
BILL No. Z-69-12-05  
ZONING MAP ORDINANCE NO. Z-107-70  
AN ORDINANCE amending the City of Fort Wayne Zoning Map No. JJ-1, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:  
SECTION 1. That the area described as follows is hereby designated a B-1-B District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836; and the symbols on the City of Fort Wayne Zoning Map No. JJ-1 referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:  
A part of the fractional Northwest 1/4 of Section 7, T-30-N, R-12-E in Allen County, Indiana, described as follows:  
Beginning at the North 1/4 corner of said Section 7, running thence S. 89 degrees-56'-27" W. 325.00 feet; thence S. 00 degrees-03'-33" E. 275.00 feet; thence S. 00 degrees-21'-33" E. along the West line of Walnut Hills Terrace Addition 549.00 feet to the true point of beginning of this description; thence continuing S. 00 degrees-21'-33" E. 400.00 feet; thence S. 8 degrees-56'-28" W. 32" W. 400.00 feet; thence N. 00 degrees-03'-56'-28" E. 327.00 feet to the true point of beginning; containing 3.00 acres.  
SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and legal publication thereof.  
EDWIN J. ROUSSEAU, Councilman.  
Read the third time in full and on motion by Dunifon seconded by Rousseau and adopted, placed on its passage.  
Passed by the following vote:  
Ayes—nine  
Adams, Dunifon, Fay, Geake, Nuckols, Robinson, Rousseau, Steigerwald, Tipton.  
Nays—none  
Date: 5-12-70.  
FUAD G. BONAHOOM, City Clerk.  
Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Zoning Map Ordinance No. Z-107-70 on the 12th day of May, 1970.  
ATTEST:  
FUAD G. BONAHOOM, City Clerk.  
Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of May, 1970, at the hour of 8:30 o'clock A.M., E.D.T.  
FUAD G. BONAHOOM, City Clerk.  
Approved and signed by me this 13th day of May, 1970, at the hour of 9:01 o'clock A.M., E.D.T.  
HAROLD S. ZEIS, Mayor.  
I, Fuad G. Bonaohoom, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of Zoning Map Ordinance No. Z-107-70 passed by the Common Council on the 12th day of May 1970, and that said Ordinance was duly signed, and approved by the Mayor on the 13th day of May, 1970 and now remains on file and on record in my office.  
WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 20th day of May, 1970.  
(SEAL)  
FUAD G. BONAHOOM, City Clerk.

PUBLISHER'S AFFIDAVIT

State of Indiana } ss:  
ALLEN County }

Personally appeared before me, a notary public in and for said county and state, the undersigned ~~XXXXXXXXXXXX~~ H. OWEN who, being duly sworn, says that she is CLERK of the

JOURNAL-GAZETTE

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 times, the dates of publication being as follows:

May 26, 1970

June 2, 1970

Subscribed and sworn to before me this 8th day of June 19 70

Edith Stapleton  
Notary Public

My commission expires March 8, 1974



Common Council-City of Ft. Wayne  
(Governmental Unit)

To.....NEWS-SENT INEL.....Dr.

Allen.....County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines	_____
Head number of lines	_____
Body number of lines	84
Tail number of lines	1
Total number of lines in notice	85

COMPUTATION OF CHARGES

85 lines,.....columns wide equals.....equivalent lines at......288¢  
cents per line \$ 24.48

Additional charge for notices containing rule or tabular work (50 per cent of above amount) \_\_\_\_\_

Charge for extra proofs of publication (50 cents for each proof in excess of two) \_\_\_\_\_

TOTAL AMOUNT OF CLAIM \$ 24.48

DATA FOR COMPUTING COST

Width of single column 11 ems Size of type.....5½.....point

Number of insertions.....2..... Size of quad upon which type is cast.....5½.....

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

A. M. Hostman

Date June 8, 19 70

Title Clerk

Legals

Notice is hereby given that on the 12th day of May, 1970, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session, did pass the following Zoning Map ordinance, to-wit:

Bill No. Z-69-12-05  
ZONING MAP ORDINANCE NO. Z-107-70  
AN ORDINANCE amending the City of Fort Wayne Zoning Map No. JJ-1.  
BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B-1-B District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836; and the symbols on the City of Fort Wayne Zoning Map No. JJ-1 referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

A part of the fractional Northwest ¼ of Section 7, T-30-N, R-12-E in Allen County, Indiana, described as follows:

Beginning at the North ¼ corner of said Section 7, running thence S. 89 degrees—56'—27" W. 325.00 feet; thence S. 00 degrees—03'—33" E. 275.00 feet; thence S. 00 degrees—21'—33" E. along the West line of Walnut Hills Terrace Addition 549.00 feet to the true point of beginning of this description; thence continuing S. 00 degrees—21'—33" E. 400.00 feet; thence S. 8 degrees—56'—28" W. 327.00 feet; thence N. 00 degrees—03'—32" W. 400.00 feet; thence N. 89 degrees—56'—28" E. 327.00 feet to the true point of beginning; containing 3.00 acres.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and legal publication thereof.

EDWIN J. ROUSSEAU, Councilman.  
Read the third time in full and on motion by Dunifon seconded by Rousseau and duly adopted, placed on its passage. Passed by the following vote:

Ayes—nine  
Adams, Dunifon, Fay, Geake, Nuckols, Robinson, Rousseau, Steigerwald, Tipton.  
Nays—none  
Date: 5-12-70.

FUAD G. BONAHOOM, City Clerk.

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Zoning Map Ordinance No. Z-107-70 on the 12th day of May, 1970.

ATTEST: (SEAL)  
FUAD G. BONAHOOM, City Clerk.  
HERBERT G. TIPTON, Presiding Officer.

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of May, 1970 at the hour of 8:30 o'clock A.M., E.D.T.

FUAD G. BONAHOOM, City Clerk.  
Approved and signed by me this 13th day of May 1970, at the hour of 9:01 o'clock A.M., E.D.T.

HAROLD S. ZEIS, Mayor.  
I, Fuad G. Bonahoom, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of Zoning Map Ordinance No. Z-107-70 passed by the Common Council on the 12th day of May 1970, and that said Ordinance was duly signed, and approved by the Mayor on the 13th day of May, 1970 and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 20th day of May, 1970.

(SEAL)  
FUAD G. BONAHOOM, City Clerk.  
5-26—6-2.

PUBLISHER'S AFFIDAVIT

State of Indiana }  
ALLEN County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned A. M. Hostman who, being duly sworn, says that She is Clerk of the NEWS-SENT INEL

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time s., the dates of publication being as follows:

May 26, 1970  
June 2, 1970

Subscribed and sworn to before me this 8th day of June 19 70  
Edith Stapleton  
Notary Public

My commission expires March 8, 1974



N. 1/4 COR. SEC. 7 -

